

**TENNESSEE BOARD OF NURSING
GROUND FLOOR, CORDELL HULL BUILDING
CUMBERLAND ROOM
425 FIFTH AVENUE NORTH
NASHVILLE, TN 37247-1010**

June 1 – 2, 2005

MINUTES

Call to Order	C. Stegbauer, Chairman, called the meeting to order at 8:30 a.m. on Wednesday, June 1, 2005.
Roll Call/Declaration of a Quorum	The Chairman declared a quorum present.
Members Present	Barbara Brennan, R.N. (June 1, 2005) Wilmetta Collie , L.P.N. Wanda Hooper, R.N. Sheila Jackson Priebel, Public Member Donna Roddy, R.N. Dava Shoffner, R.N. (June 1, 2005) Cheryl Stegbauer, R.N. Barbara Wallace, L.P.N.
Staff Present	Elizabeth Lund, R.N., Executive Director Martha Barr, R.N., Assc. Executive Director Madeline Coleman, RN, Nursing Consultant Nicole Armstrong, Deputy General Counsel Robbie Bell, Director, Health Related Boards Brandi Bozarth, Assistant General Counsel Raney Irwin, Assistant General Counsel Teddy Wilkins, Paralegal Wilma James, Deputy General Counsel Gerry Crownover, Assistant General Counsel Lori Doty, Deputy General Counsel Andrei Lee, Assistant General Counsel. Shirley Cory, General Counsel
Visitors Present	Appalachian Regional Practical Nursing Program Jacksboro Campus
Conflict of Interest	Nicole Armstrong, Assistant General Counsel, reviewed the Conflict of Interest Policy.

Consent Orders

It was moved and seconded to adopt the following consent orders:

Consent Orders

<u>Respondent</u>	<u>Profession and License Number</u>	<u>Expiration Date</u>	<u>Action</u>
Shadia O. Abdullahi 932 Picheloup Place New Orleans, LA 70119	RN 104652	12-31-97	revocation
Stacey L. Alcron 5708 Paula Road Knoxville, TN 37912	LPN 52560	1-31-05	suspension followed by probation
Arvin C. Aledia 550 New South Drive, Apt. 405 Clarksville, TN 37043	LPN 65789	12-31-06	CEUs, one year probation, single state license
Sherry L. Boynton Rt. 3, Box 150J Pikeville, TN 37367	RN 111355	11-30-05	probation x 1 year, CEUs, single state license
Kimberly D. Duncan 3915 Hwy. 69A Camden, TN 38320	LPN 61025	3-31-06	revocation
Michael Greene 141 Sunny Acres Road Jonesborough, TN 37659	RN 136653	8-31-05	revocation
Connie Jopson 309 ½ Daytona Place Elizabethton, TN 37643	LPN 59171	9-30-06	probation x 6 months
Donna R. Mehta 505 Tucker Street Chattanooga, TN 37405	RN 115570	10-31-02	revocation
Hassie M. Merrell P.O. Box 1001 Monteagle, TN 37356	LPN 41331	11-30-05	revocation

Jan J. Metcalf 936 Mountain Creek Road, Apt. X255 Chattanooga, TN 37405	RN	42017	10-31-06	probation x 5 years, TNPAP contract single state license
Leigh R. Nolen 80 North Nance Street Alamo, TN 38001	RN	58654	5-31-06	suspension followed by probation TNPAP contract
Jillian L. Smith 3477 Chisolm Road Iron City, TN 38463	RN	134810	8-31-06	revocation
Malissa Snapp 1490 Mountain Valley Rd. Mohawk, TN 37810	LPN	6334	8-31-04	revocation
Kathy E. Wolfenbarger 212 Lawson Center Road Kingston, TN 37763	RN	116146	10-31-06	probation x 1 year, CEUs single state license
Judie Irene Wright 365 Old Friendship Road Finger, TN 38334	RN	53576	9-30-05	suspension, evaluation by TNPAP, probation x 3 years
Gidget Lee Wright 352 Brock Road Sunbright, TN 37832	LPN	53730	6-30-05	revocation
Sherry Suffrage 1811 Pressman Home Road Rogersville, TN 37857	LPN	34004	10-31-06	probation x 3 years, contract with TNPAP

6 – yes
Carried

D. Shoffner moved and seconded by B. Wallace to deny the following letter of reprimand:

Jana Kathleen Gibson 404 Tammy Drive #10 Powell, TN 37849	RN	02295	11-30-05	reprimand, CEUs
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6 – yes
Carried

Joseph Newbern
LPN # 60555

Administrative Law Judge: Cara Harr
Attorney for the State: Andrei Ellen Lee
Respondent: not present, not represented

B. Brennan moved and seconded by B. Wallace to accept the motion for default. W. Collie moved and seconded by B. Wallace to find in the case of Joseph Newbern the facts alleged in the notice of charges true, 10-16.

7 – Yes
Carried

W. Collie moved and seconded by D. Roddy to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-2-.13(1)(b).

7 – Yes
Carried

W. Collie moved and seconded by D. Roddy to revoke the LPN license of Joseph Newbern, assess one type A civil penalty of \$1,000.00 and assess the cost of prosecution.

5 – Yes
2 – No
1 – Abstain
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this respondent guilty of unprofessional – making the board action appropriate. Statement approved.

Ronald L. Cutshall
LPN #43493

Administrative Law Judge: Cara Harr
Attorney for the State: Laurie Doty
Respondent: Attorney for the respondent: Jeffrey Ward

S. Priebe moved and seconded by W. Hooper to find the summary judgment inappropriate and move to hear the case at a future board meeting.

7 – Yes
Carried

Phillip Maxwell
LPN #49804

Administrative Law Judge: Cara Harr
Attorney for the State: Wilma James
Respondent: present, not represented by counsel

D. Shoffner moved and seconded by W. Hooper to deny the petition for reconsideration of the board's order and ratify and reaffirm the board's order.

1 – Yes
2 – Abstain
5 – No

S. Priebel moved and seconded by B. Brennan to reconsider Mr. Maxwell's order of revocation and modify the order to impose a civil penalty of \$1,000.00 and place the license on probation until proof of payment of restitution, court probation is ended and civil penalty is paid.

6 – Yes
2 – Abstain
Carried

Joan L. Rogers
LPN applicant

Administrative Law Judge: Cara Harr
Attorney for the State: Wilma James
Respondent: present, not represented by counsel

D. Roddy moved and seconded by W. Hooper to deny the application for LPN licensure by examination.

3 – Yes
2 – No
1 – abstain
Carried

Jan Collins
RN #109478

Administrative Law Judge: Cara Harr
Attorney for the State: Andrei Ellen Lee
Respondent: present, representing herself

D. Shoffner moved and seconded by B. Brennan to find in the case of Jan Collins the facts alleged in the notice of charges true, 10-18 (amended).

7 – Yes
Carried

D. Shoffner moved and seconded by B. Brennan to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-1-.13(1)(b)(g).

7 – Yes
Carried

D. Shoffner moved and seconded by B. Brennan to suspend the RN license of Jan Collins, assess two Type A civil penalties totaling \$2,000.00 and assess the cost of prosecution. Terms of suspension: 1. Evaluation by PAP; if reveals no chemical dependence, place license on probation for one year. 2. If evaluation reveals chemical dependence, require contract with PAP and probation for three years.

7 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this respondent guilty of unprofessional conduct – making the board action appropriate.

Tammy Hamm
LPN #51669

Administrative Law Judge: Cara Harrs
Attorney for the State: Brandi Bozarth
Respondent: present, representing herself

D. Roddy moved and seconded by S. Priebel to find the case of Tammy Hamm the facts alleged in the notice of charges true, 10-40 (amend #14 as to time).

2 – Yes
6 – No
Did Not Carry

B. Wallace moved and seconded by D. Roddy to find in the case of Tammy Hamm the facts alleged in the notice of charges true, 10-12.

8 – Yes
Carried

B. Wallace moved and seconded by W. Hooper to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(B)(F) and Rule 1000-2-.13(1)(d)(u).

7 – Yes
1 – No
Carried

B. Wallace moved and seconded by D. Shoffner to suspend the LPN license of Tammy Hamm, assess one type A civil penalty totaling \$1,000 and assess the cost of prosecution. Terms include evaluation by PAP. Her license will be suspended until PAP evaluation. If PAP determines she does not need a contract, she will be placed on probation until she completes court probation. If she is determined to require a contract, her license will be placed on probation after she signs a contract. Probation will be concurrent with the PAP contract.

7 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this respondent guilty of a crime – making the board action appropriate.

David Riem
RN #103175

Administrative Law Judge: Carr Harre
Attorney for the State: Andrei E. Lee
Respondent: not present, not represented by counsel

D. Roddy moved and seconded by B. Wallace to grant the motion for default and hold the hearing today.

7 – Yes
Carried

B. Brennan moved and seconded by B. Wallace to find in the case of David Riem the facts alleged in the notice of charges true, 10-19.

7 – Yes
Carried

B. Brennan moved and seconded by B. Wallace to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(C)(F) and Rule 1000-1-.13(1)(b).

7 – Yes
Carried

B. Brennan moved and seconded by B. Wallace to revoke the RN privilege to practice of David Riem, issue a cease and desist order and assess three type A civil penalties totaling \$3,000.00 and assess the cost of prosecution.

7 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds the board's action appropriate.

Recess

6:07 p.m.

Reconvene

The meeting of the Tennessee Board of Nursing reconvened at 8:30 a.m., Thursday, June 2, 2005. Six board members present.

Review of Consent Orders

S. Priebel excused to review propose agreed orders.

Robin Walters
LPN Mississippi

Administrative Law Judge: Cara Harr
Attorney for the State: Brandi Bozarth
Respondent: not present, not represented

B. Wallace moved and seconded by D. Roddy to grant the motion for default.

5 – Yes
Carried

W. Hooper moved and seconded by S. Proebel to dismiss the case based on the knowledge that the privilege to practice is restricted in Tennessee due to the action on the Mississippi compact license.

5 - Yes
Carried

Judith K. Brunson
RN #44776

Administrative Law Judge: Cara Harr
Attorney for the State: Gerry Crownover
Respondent: not present, not represented

D. Roddy moved and seconded by W. Collie to hold the respondent in default.

5 – Yes
Carried

D. Roddy moved and seconded by B. Wallace to find in the case of Judith K. Brunson the facts alleged in the notice of charges true, 11, 12, 13.

5 – Yes
Carried

D. Roddy moved and seconded by B. Wallace to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-1-.13(1)(j).

5 – Yes
Carried

D. Roddy moved and seconded by B. Wallace to revoke the RN license of Judith K. Brunson, assess one type A civil penalty totaling \$1,000.00 and assess the cost of prosecution.

5 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this board action appropriate.

9:10

S. Priebel here. Six members present.

Tammy K. Lambert
RN #87984

Administrative Law Judge: Cara Harr
Attorney for the State: Wilma James
Respondent: not present, not represented

D. Roddy moved and seconded by W. Collie to grant the motion for default.

6 – Yes
Carried

D. Roddy moved and seconded by B. Wallace to find in the case of Tammy K. Lambert the facts alleged in the notice of charges true, 11-13.

6 – Yes
Carried

D. Roddy moved and seconded by B. Wallace to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-1-.13(1)(j).

6 – Yes
Carried

D. Roddy moved and seconded by B. Wallace to revoke the RN license of Tammy K. Lambert, assess one type C civil penalty totaling \$500.00 and assess the cost of prosecution.

6 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this board action appropriate.

9:25

D. Roddy excused. Five members present.

Roy Lee Burrow
RN #84226

Administrative Law Judge: Cara Harr
Attorney for the State: Raney Irwin
Respondent: not present, not represented

B. Wallace moved and seconded by W. Collie to adopt the motion for default.

5 – Yes
Carried

B. Wallace moved and seconded by W. Hooper to find in the case of Roy Lee Burrow the facts alleged in the notice of charges true, 10-24, delete #14.

5 – Yes
Carried

B. Wallace moved and seconded by W. Hooper to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(B)(C)(D)(F) and Rule 1000-1-.13(1)(f)(g).

5 – Yes
Carried

B. Wallace moved and seconded by W. Hooper to revoke the RN license of Roy Burrow, assess two type A civil penalties totaling \$2,000.00 and assess the cost of prosecution.

5 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this board action appropriate.

9:45

D. Roddy returned. Six board members present.

Kristine L. Kirkwood
LPN # 58868

Administrative Law Judge: Cara Harr
Attorney for the State: Raney Irwin
Respondent: not present, not represented

B. Wallace moved and seconded by D. Roddy to hold the respondent in default.

5 - Yes
Carried

B. Wallace moved and seconded by D. Roddy to find in the case of Kristine L. Kirkwood the facts alleged in the notice of charges true, 10-15.

5 – Yes
Carried

B. Wallace moved and seconded by D. Roddy to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-2-.13(1)(u).

5 – Yes
Carried

B. Wallace moved and seconded by W. Hooper to revoke the license of Kristine L. Kirkwood assess one type C civil penalty totaling \$500.00 and assess the cost of prosecution.

5 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this board action appropriate.

Julie Ann Eskew
LPN #53067

Administrative Law Judge: Cara Harr
Attorney for the State: Andrei E. Lee
Respondent: not present, not represented

D. Roddy moved and seconded by W. Collie to hold the respondent in default.

6 – yes
Carried

W. Collie moved and seconded by W. Wallace to find in the case of Julie Ann Eskew the facts alleged in the notice of charges true, 10-14.

6 - Yes
Carried

W. Collie moved and seconded by B. Wallace to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F)(G) and Rule 1000-2-.13(1)(u).

6 – Yes
Carried

W. Collie moved and seconded by B. Wallce to revoke the LPN license of Julie Ann Eskew, assess one type C civil penalty totaling \$500.00 and assess the cost of prosecution.

6 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this board action appropriate.

Christie M. Hekking
RN #44465

Administrative Law Judge: Cara Harr
Attorney for the State: Andrei E. Lee
Respondent: present, representing herself

D. Roddy moved and seconded by S. Priebel to find in the case of Christi M. Hekking the facts alleged in the notice of charges true, 10-15.

6 – Yes
Carried

D. Roddy moved and seconded by S. Priebel to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(G).

6 – Yes
Carried

D. Roddy moved and seconded by S. Priebel to revoke the RN license of Christi M. Hekking and assess past civil penalties totaling \$2,300.00. Advise to seek evaluation and assessment by TNPAP.

5 – Yes
1 – Abstain
Carried

It is the policy of the board to protect the health, safety and welfare of the citizens of Tennessee. The board finds this board action appropriate.

Lisa Grace
RN #102730

Administrative Law Judge: Cara Harr
Attorney for the State: Andrei E. Lee
Respondent: not present, not represented

D. Roddy moved and seconded by W. Collie to hold the respondent in default and hear the case today.

6 – Yes
Carried

W. Collie moved and seconded by B. Wallace to find in the case of Lisa Grace the facts alleged in the Notice of Charges true, 10-12.

6 – Yes
Carried

W. Collie moved and seconded by B. Wallace to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(B)(C) and Rule 1000-1-.13(5).

6 – Yes
Carried

W. Collie moved and seconded by B. Wallace to revoke the RN license of Lisa Grace, assess two type C civil penalties totaling \$1,000.00 and assess costs.

6 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this action appropriate.

Lona Sager
LPN #62591

Administrative Law Judge: Cara Harr
Attorney for the State: Andrei E. Lee
Respondent: not present, not represented

D. Roddy moved and seconded by B. Wallace to hold the respondent in default and hear the case today.

6 – Yes
Carried

S. Priebel moved and seconded by D. Roddy to find in the case of Lona Sager the facts alleged in the Notice of Charges true, 10, 11, 12(a), 13.

6 – Yes
Carried

S. Priebel moved and seconded by D. Roddy to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(D) and Rule 1000-2-.13(1)(a)(b)(u).

6 – Yes
Carried

S. Priebel moved and seconded by D. Roddy to revoke the LPN license of Lona Sager, assess two type A civil penalties totaling \$2,000.00 and assess costs.

6 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds the action appropriate.

Agreed Orders

S. Priebel moved and seconded by D. Roddy to ratify the following agreed orders:

<u>Respondent</u>	<u>Profession and License Number</u>	<u>Board Action</u>
1. Paige C. Grable	LPN 30980	revocation
2. Donna K. Housely	RN 55075	probation
3. Susan E. Newman	RN 98364	revocation
4. Betty D. Richardson	RN 93094	probation
5. Linda G. Drummond	RN 3118	probation

6 – Yes
Carried

S. Priebel moved and seconded by D. Roddy to deny to ratify an agreed order on Wesley Scott Patterson, RN #104918.

6 – Yes
Carried

Screening Panel Recommendations

B. Wallace moved and seconded by W. Collie to ratify the following agreed orders from screening panels:

1. Etoulia L. Vincion 2252 Nashville Highway Lewisburg, TN 37091	LPN 63952	8-31-06	probation x 3 years
2. Mindy S. Boggs Rt. 3, Box 810 Selmer, TN 38375	LPN 54719	5-31-07	reprimand
3. Henry J. McLeod, III 349 Rockwell Farms Lane Knoxville, TN 37922	RN 114245	5-31-07	reprimand

6 – Yes
Carried

Adjournment

1:20 p.m.

Cheryl Stegbauer PhD, RN

Date

Elizabeth J. Lund, MSN, RN
Executive Director

Date

EL/G3025157/BNmin